

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TANH HUU LAM,

Defendant.

No. 2:97-cr-54 WBS

ORDER

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Defendant Tanh Huu Lam has filed a "Motion to Reassign the Case to Different Judge." (Docket No. 516.) Notably, defendant does not provide any reasoning for the instant motion and cites no rule or statute in support, only citing another case where the undersigned recused himself, without any discussion of that case's relevance to this motion.

The court also notes this is the fourth time this defendant has moved to disqualify the undersigned judge. (See Docket Nos. 383, 464, 501.) The court continues to find that there is no basis for recusal, nor any other reason for

1 reassignment of the case to another judge.

2 Specifically, defendant's motion, even assuming it was
3 timely, does not demonstrate that the undersigned "has a personal
4 bias or prejudice against [the defendant] or in favor of any
5 adverse party," as required by 28 U.S.C. § 144, or that (1) the
6 undersigned's "impartiality might reasonably be questioned" or
7 (2) the undersigned "has a personal bias or prejudice concerning
8 a party, or personal knowledge of disputed evidentiary facts
9 concerning the proceeding," as required by 28 U.S.C. § 455.
10 Among other things, a judge's prior adverse ruling is not a
11 sufficient cause for recusal. United States v. Studley, 783 F.2d
12 934, 939 (9th Cir. 1986.) Further, the fact that the undersigned
13 may have recused himself in another unrelated case does not show
14 that recusal or reassignment is required in this case.

15 For the foregoing reasons, defendant's motion (Docket
16 No. 516) is DENIED.

17 Dated: March 3, 2025



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE